

VIOLATIVE SALES OF PRESCRIPTION DRUGS

6341. (F.D.C. No. 42480. S. No. 66-005 P.)

INFORMATION FILED: 10-5-59, Dist. Conn., against Charles W. Christiansen, alias Charlie Benjamin, at Stamford, Conn.

CHARGE: On 8-27-59, *amphetamine sulfate tablets* were dispensed once without a prescription.

PLEA: Guilty.

DISPOSITION: 12-9-59. \$500 fine.

6342. (F.D.C. No. 42483. S. Nos. 46-607/8 P.)

INFORMATION FILED: 5-9-60, N. Dist. Ala., against Medical Specialties Corp., South Birmingham, Ala., Ernest L. Wade (secretary-treasurer of the corporation), and Charles F. Rattray, t/a Sutherlin Drug Store, Gadsden, Ala.

CHARGE: The information alleged in count 1 that the defendants did, on 9-1-58 and continuing thereafter to 12-14-59, conspire, combine, confederate, and agree together and with divers other unknown persons to commit offenses against the United States, namely, to unlawfully dispense articles of drugs consisting of unknown quantities of *amphetamine sulfate tablets* and *amphetamine sulfate capsules* while such drugs were held for sale after shipment in interstate commerce, thereby causing such drugs to become misbranded.

It was alleged further as a part of the conspiracy that the defendants would purchase large amounts of amphetamine sulfate drugs which had been shipped in interstate commerce into the State of Alabama; that the defendants would sell and dispense such drugs in large quantities to customers without a physician's prescription; and that the defendants would deliver such drugs to customers in unlabeled containers.

It was alleged further that in furtherance of the conspiracy and to effect the objects thereof, the defendants did commit the following overt acts:

(1) between 9-1-58 and 12-14-59, Medical Specialties Corp., and Ernest Wade caused to be ordered and purchased large supplies of *amphetamine sulfate tablets* and *amphetamine sulfate capsules* from various manufacturers in Tennessee, Pennsylvania, and Texas;

(2) pursuant to such orders, large supplies of *amphetamine sulfate tablets* and *amphetamine sulfate capsules* were shipped from Tennessee, Pennsylvania, and Texas into Alabama consigned to the Medical Specialties Corp.;

(3) on 11-11-59, Ernest Wade unlawfully dispensed a number of *amphetamine sulfate tablets* to a Government agent, known to Ernest Wade as a truck driver, without a prescription therefor;

(4) between 11-2-59 and 12-14-59, Ernest Wade referred the above-mentioned Government agent to Charles Rattray for the purpose of making further purchases of amphetamine sulfate drugs;

(5) on 11-25-59, Charles Rattray unlawfully dispensed a number of *amphetamine sulfate tablets* to a Government agent, known to him as a truck driver, without a prescription therefor;

(6) between 11-2-59 and 12-14-59, conversations were had between a Government agent, posing as a truck driver, and Ernest Wade, and between the same Government agent and Charles Rattray concerning the making of arrangements for the purchase, by the Government agent, of $\frac{1}{2}$ million *amphetamine sulfate tablets* and *amphetamine sulfate capsules*;

(7) between 9-1-58 and 12-14-59, Ernest Wade caused a number of invoices to be made reflecting a number of sales by Medical Specialties Corp. of large amounts of *amphetamine sulfate tablets* and *amphetamine sulfate capsules* to authorized retail outlets such as medical doctors and drug stores, which invoices were false in that the consignees named in the invoices did not purchase or receive the large amounts of *amphetamine sulfate tablets* and *amphetamine sulfate capsules* indicated on the invoices.

The information further alleged in two other counts, with respect to *amphetamine sulfate tablets* which had been shipped in interstate commerce, that the defendants, on 11-11-59, caused a number of such tablets to be dispensed at Birmingham, Ala., without a prescription and that the defendants, on 11-25-59, caused a number of such tablets to be dispensed at Gadsden, Ala., without a prescription.

PLEA: Nolo contendere by the corporation; and guilty by the individuals.

DISPOSITION: 6-3-60. Medical Specialties Corp., and Ernest Wade were each fined \$500; and Charles Rattray was fined \$150.

6343. (F.D.C. No. 43260. S. Nos. 1-240 P, 56-319 P.)

INDICTMENT RETURNED: 11-3-59, N. Dist. Ga., against John Hansford Oakes, Gainesville, Ga.

CHARGE: On 12-17-58, *amphetamine sulfate tablets* were dispensed twice without a prescription.

PLEA: Guilty.

DISPOSITION: 6-23-60. Sentence of 6 months in jail.

6344. (F.D.C. No. 43243. S. Nos. 2-123 P, 44-114 P.)

INDICTMENT RETURNED: 11-3-59, N. Dist. Ga., against Jay Everett Guffey, Cumming, Ga.

CHARGE: On 10-30-58, *amphetamine sulfate tablets* were dispensed twice without a prescription.

PLEA: Guilty.

DISPOSITION: 7-14-60. Sentence of 12 months in jail.

6345. (F.D.C. No. 44633. S. Nos. 57-205 P, 57-218 P, 72-409 P, 72-507 P.)

INFORMATION FILED: 7-13-60, S. Dist. Ga., against Wilbert Roller, t/a DeSoto Truck Stop, Chatham County, Savannah, Ga., and Edmund I. Honeycutt (an employee).

CHARGE: Between 9-22-59 and 10-20-59, *amphetamine sulfate tablets* were dispensed 4 times without a prescription.

PLEA: Nolo contendere by Honeycutt to 2 counts and by Roller to 2 counts.

DISPOSITION: 8-1-60. Roller—\$750 fine and probation for 2 years; Honeycutt—\$350 fine and probation for 2 years.

6346. (F.D.C. No. 44628. S. Nos. 80-451/3 P.)

INFORMATION FILED: 6-30-60, N. Dist. Ind., against Ruth Lambright, t/a Economy Lunch, Ligonier, Ind.

CHARGE: Between 10-15-59 and 10-21-59, *amphetamine sulfate tablets* were dispensed 3 times without a prescription.

PLEA: Guilty.